

ATTORNEY'S DOCKET NUMBER: 26964U

MAIL STOP PCT

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: September 20, 2005
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPN. NUMBER: (if known) Not Yet Assigned 10/549631
INTERNATIONAL APPLICATION NUMBER: PCT/EP2004/050373	INTERNATIONAL FILING DATE: 26 March 2004 (26.03.2004)	PRIORITY DATE CLAIMED: 27 March 2003 (27.03.2003) EP 27 March 2003 (27.03.2003) DE
TITLE OF INVENTION: PROCESS FOR PREPARING CRYSTALLINE CICLESONIDE WITH DEFINED PARTICLE SIZE APPLICANT(S) FOR DO/EO/US: SCHMIDT, Beate		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 5. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)). 6. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 7. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 8. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 9. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>ITEMS 10 to 19 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <p>10. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 11. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 12. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 13. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 17. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) 18. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) 19. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; TRANSMITTAL LETTER TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING FILING UNDER 35 U.S.C. 371; INTERNATIONAL PUBLICATION NUMBER: WO 2004/085460 A1, WITH THE INTERNATIONAL SEARCH REPORT (PCT/ISA/210); INTERNATIONAL PUBLICATION DATE: 7 October 2004 (07.10.2004), WHICH CONSISTS OF 17 PAGES: 1 PAGE FOR THE COVER SHEET, WHICH CONTAINS THE ABSTRACT, 12 PAGES OF TEXTUAL SPECIFICATION WITH EMBEDDED FORMULAS AND TABLES, 4 PAGES OF 27 CLAIMS WITH EMBEDDED FORMULAS, 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A AND B TO BE EXAMINED; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY; FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES (PCT/IB/308); SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES (PCT/IB/308); INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION (PCT/IB/332); NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT (PCT/IB/304); PCT REQUEST (PCT/RO/101); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>		

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<p>10/549631</p> <p>The following fees are submitted:</p> <table border="1"> <tr> <td>21. Basic National Fee</td> <td>\$ 300.00</td> <td rowspan="2">\$ 300.00</td> <td rowspan="2">CALCULATIONS</td> <td rowspan="2">PTO USE ONLY</td> </tr> <tr> <td>22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4)</td> <td>\$ 100.00</td> </tr> <tr> <td>All other situations</td> <td>\$ 200.00</td> <td rowspan="2">\$ 200.00</td> <td rowspan="2"></td> <td rowspan="2"></td> </tr> <tr> <td>23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office</td> <td>\$ 400.00</td> </tr> <tr> <td>All other situations</td> <td>\$ 500.00</td> <td rowspan="2">\$ 400.00</td> <td rowspan="2"></td> <td rowspan="2"></td> </tr> <tr> <td>— Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium).</td> <td></td> </tr> <tr> <td colspan="2">The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.</td> <td>\$ 900.00</td> <td></td> <td></td> </tr> <tr> <td colspan="5" style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</td> </tr> <tr> <td colspan="5"> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> </td> </tr> <tr> <td colspan="5"> <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER: FILED</th> <th>NUMBER: EXTRA</th> <th>RATE</th> <th></th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>27-20=</td> <td>7</td> <td>X \$ 50.00</td> <td>\$ 350.00</td> </tr> <tr> <td>INDEPENDENT</td> <td>3-3=</td> <td>0</td> <td>X \$ 200.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="3">Multiple dependent claims(s) (if applicable)</td> <td>+ \$360.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 1,250.00</td> </tr> <tr> <td colspan="4">Reduction by 2 for asserting small entity, if applicable. 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- a. One check in the amount of \$ 1,250.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. Fees are to be charged to a credit card WARNING: Information on this form may become public Credit Card Information should not be included on this form.
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath
NATH & ASSOCIATES PLLC
1030 15th St., N.W., 6th Fl.,
Washington, D.C. 20005-1503

Tel: 202-775-8383
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Gary M. Nath
Reg. No. 26,965
Sheldon M. McGee
Reg. No. 50,454
Customer No. 34375

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/549631

In re Application of:

SCHMIDT

Serial No.: Not Yet Assigned

Filed: September 20, 2005

Internatl. Appl. No.: PCT/EP2004/050373

Internatl. Filing Date: 26 March 2004 (26.03.2004)

Title: PROCESS FOR PREPARING CRYSTALLINE CICLESONIDE WITH DEFINED PARTICLE SIZE

JC05 Rec'd PCT/PTO 20 SEP 2005

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Application Data Sheet;
- (2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- (3) International Publication Number: WO 2004/085460 A1, with the International Search Report (PCT/ISA/210); International Publication Date: 7 October 2004 (07.10.2004), which consists of 17 pages:
1 page for the Cover Sheet, which contains the Abstract,
12 pages of Textual Specification with embedded formulas and tables,
4 pages of 27 Claims with embedded formulas,
0 sheets of Drawings;
- (4) **Preliminary Amendment with Appendixes A and B to be Examined;**
- (5) Unexecuted Declaration and Power of Attorney;
- (6) International Preliminary Report on Patentability;
- (7) First Notice Informing the Applicant of the Communication of the International Application To The Designated Offices (PCT/IB/308);
- (8) Second and Supplementary Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308);
- (9) Information Concerning Elected Offices Notified of Their Election (PCT/IB/332);
- (10) Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304);
- (11) PCT Request (PCT/RO/101);
- (12) Check No.: 23648 in the Amount of \$ 1,250.00 for Basic Filing Fee, which includes the Search and Examination Fees (\$900.00), and for 7 total claims over 20 (\$350.00), as a Large Entity.
- (13) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date: September 20, 2005

By: 
Gary M. Nath
Reg. No. 26,965
Sheldon M. McGee
Reg. No. 50,454
Customer No. 34375

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